

AMENDED IN SENATE JULY 17, 2003
AMENDED IN ASSEMBLY MAY 6, 2003
AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 894

Introduced by Assembly Member Firebaugh

February 20, 2003

An act to add Section 662 to the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 894, as amended, Firebaugh. State highways: railroad bridges: graffiti removal.

Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property. Existing law generally requires a permit for an encroachment on a state highway.

This bill would require the department to conduct ~~a demonstration project~~ *an analysis and study* relative to graffiti removal from, *and the prevention of graffiti on*, public structures owned by the state ~~or~~, a local authority, *or others* that are traveled by railroads that cross state highways. ~~The bill would specify 2 bridges to be included in the project.~~ The bill would require the department to meet and confer with the rail operators operating the bridges, and others deemed necessary, regarding graffiti abatement and prevention programs. The bill would require the ~~demonstration project~~ *analysis and study* to be completed on or before January 1, 2006. *The bill would require the analysis and*

study to be included in a report submitted to the Legislature by January 1, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 662 is added to the Streets and
2 Highways Code, to read:

3 662. (a) The department ~~shall conduct a demonstration~~
4 ~~project~~, *in consultation* with railroads and other interested parties,
5 *shall conduct an analysis and study* relative to graffiti removal
6 from, *and the prevention of graffiti on*, public structures owned by
7 the state ~~or~~, a local authority, *or others* that are traveled by
8 railroads that cross state highways.

9 ~~(b) The demonstration project shall include, but shall not be~~
10 ~~limited to, the following structures:~~

11 ~~(1) California Department of Transportation Bridge #53-832.~~

12 ~~(2) California Department of Transportation Bridge #53-838.~~

13 ~~(c)~~

14 ~~(b)~~ As part of the ~~demonstration project~~ *analysis and study*, the
15 department shall, for purposes of developing a model for other
16 graffiti abatement and prevention programs involving similar
17 publicly owned structures, meet and confer with the rail operator
18 operating on the bridge, and others as deemed necessary by the
19 department, regarding the following matters:

20 (1) The use of graffiti resistant paint, including, but not limited
21 to, painting an ivy mural.

22 (2) New paint technology incorporating sensors and alarms.

23 (3) The use of toll-free telephone numbers coupled with
24 rewards for information leading to the conviction of those
25 responsible for graffiti.

26 (4) To establish terms and conditions for entry on the railroad
27 right-of-way *and a determination of ownership of the railroad*
28 *structures and other structures.*

29 (5) Other matters related to safety during graffiti removal and
30 repainting.

31 ~~(d) The demonstration project~~

32 ~~(c)~~ *The analysis and study, including any suggestions or*
33 *recommendation related to graffiti removal or prevention, shall be*

- 1 completed on or before January 1, 2006 *and shall be included in*
- 2 *a report submitted to the Legislature by that date.*

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